

CITY OF LOWELL

GUIDE FOR BUSINESS

I: PERMITTING AND LICENSING



PREPARED BY:

CITY OF LOWELL

OFFICE OF THE CITY MANAGER



Division of Planning
and Development

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There's a lot to like about

Lowell.

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NOTICE

This guide is for information only. Please refer to the applicable laws and regulations for specific technical and procedural requirements. In most cases, you will need professional help in such areas as land survey, engineering and law.

Although every effort has been made to ensure accuracy and completeness, the list of permits and procedures contained in this guide is not guaranteed to be all inclusive. Permitting procedures, fees and times are subject to periodic review and change. Any errors and omissions in this guide will not relieve the business owner or operator of the responsibility, obligation or liability in fulfilling all of these legal requirements. Fees quoted in this document are accurate as of September 5th, 2001 and are subject to change. Please check with the appropriate department to confirm all fees.



GUIDE FOR BUSINESSES I:

PERMITTING AND LICENSING

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GETTING STARTED

I know that starting my business involves getting permits and licenses from the City of Lowell. What should I do first?

First, take a deep breath and relax. The words “permit” and “license” often conjure up images of bureaucratic red tape. However, the City of Lowell strives to make the permitting and licensing process uncomplicated and straightforward for you as a business owner. You will find that all of the City’s departments are driven to assist you in your needs as you begin your business in Lowell.

Here are a few specific issues that you should focus on when beginning the permitting and licensing process:

1. **Zoning Districts:** One of the first considerations you should make prior to opening a business in Lowell is to check if your type of business will be allowed to operate in the location you choose. The City of Lowell’s Zoning Ordinance regulates the type of businesses that can operate in certain zones of the City. For example, auto-related businesses are generally prohibited from operating in residentially zoned areas of the City, since conflicts can exist between these types of businesses and local residents.

In addition, the Zoning Ordinance will tell you additional information that will be relevant to your business, including the following important pieces of information:

- **Parking Requirements:** The Zoning Ordinance will show you how many parking spaces you need to provide for your business.
- **Dimensional Requirements:** The Zoning Ordinance will also show you valuable information regarding the minimum size of your lot and building, including frontage, maximum floor to area ratios, maximum building heights, and maximum building stories.
- **Loading Requirements:** In addition, requirements for off-street loading for businesses are also regulated through the Zoning Ordinance.

A complete copy of the City’s Zoning Ordinance and Zoning map can be purchased from the City Clerk’s Office, which is located on the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852. A summary of the requirements of the Zoning Ordinance can be found in Appendixes C, D, E and F of this guide.

2. **Permitting and Licensing Checklist:** Fill out the permitting and licensing checklist shown on pages 2 - 6 of this guide. The checklist will allow you to determine which City Departments you should contact regarding obtaining permits and licenses. Additional information has been provided after the checklist regarding each Department and their responsibilities in permitting and licensing.
3. **Contact our Economic Development Team:** If you should have any questions regarding permitting and licensing for your business, please do not hesitate to call the Division of Planning and Development’s Economic Development Team at (978) 446-7239. The City’s Economic Development staff will be available to assist you in any needs that you may have regarding starting your business in Lowell.

PERMITTING CHECKLIST

STEP 1: BASIC PERMITTING

When starting your business in Lowell, you should first determine whether you will need a permit from any of the City's review boards. You should make this determination prior to the submission of any building permit applications to the Inspectional Services Department. You may be required to have your project reviewed by the following City review boards:

ZONING BOARD OF APPEALS:

	YES	NOT SURE
• Do you know whether your proposed business is allowed by the City's Zoning Ordinance in your proposed location?	<input type="checkbox"/>	<input type="checkbox"/>
• Do you know whether your proposed business meets all of the requirements of the City's Zoning Ordinance?	<input type="checkbox"/>	<input type="checkbox"/>

If you answered "not sure" to either of these questions, you should consult the Inspectional Services Department or the Division of Planning and Development. The Division of Planning and Development's Economic Development Office can be contacted at (978) 446-7239 in order to assist you with zoning and land use issues. Building Inspectors and members of the Inspectional Services staff can be contacted at (978) 970-4036.

According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance. Please see page 23 of this guide for more information regarding zoning review, "special permits," and "variances."

CONSERVATION COMMISSION:

	YES	NO	NOT SURE
• Is your business going to conduct any construction or alteration of land within 100 feet of a wetlands or waterway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you answered "yes" to this question, you need to have the plans for your project approved by the Conservation Commission. The Division of Planning and Development's Environmental Officer, who administers the Conservation Commission, can be contacted at (978) 446-7244.

If you answered "not sure" to this question, you should submit a "Request for Determination of Applicability" to the Conservation Commission. See page 7 of this guide for additional information regarding the Conservation Commission, wetlands, and "Request for Determination of Applicability" procedures.

HISTORIC BOARD:

	YES	NO	NOT SURE
<ul style="list-style-type: none"> Is your business going to erect, demolish, reconstruct or alter any exterior architectural feature of any building or structure located within one of Lowell's historic districts? 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>If you answered "yes" to this question, you need to have the plans for your project approved by the Historic Board. If your project falls under the scope of the Historic Board, please note that no other City department can issue permits or review your project until you have received approval from the Historic Board. The Historic Board Administrator can be contacted at (978) 970-4270.</i></p>			
<p><i>If you answered "not sure" to this question, you should consult the Historic Board Administrator to determine whether your project falls within an historic district. See page 11 of this guide for additional information regarding Historic Board procedures.</i></p>			

PLANNING BOARD:

	YES	NO	NOT SURE
<ul style="list-style-type: none"> Is your business going to conduct over 10,000 square feet of non-residential new construction? 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Is your business going to conduct new construction of over six (6) residential dwelling units? 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>If you answered "yes" to either of these questions, you need to have the plans for your project approved by the Planning Board. The Division of Planning and Development's Planning Board Officer, who administers the Planning Board, can be contacted at (978) 446-7244.</i></p>			
<p><i>If you answered "not sure" to either of these questions, you should consult with the Planning Board Officer in order to determine whether your project needs the approval of the Planning Board. See page 21 of this guide for additional information regarding Planning Board procedures.</i></p>			

STEP 2: BASIC LICENSING

Next, you should determine whether you will need a license to start your business in Lowell. Many types of businesses require licenses from the City's License Commission or Health Department prior to beginning their operations. You may be required to have your project reviewed by either of these City licensing bodies:

LICENSE COMMISSION:

	YES	NO	NOT SURE
• Does your business involve the sale of alcoholic beverages (including on-premises and off-premises consumption)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve providing services as a hotel, innholder or lodging house?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve providing services as a restaurant, tavern or coffee house?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve providing services as a hawker, peddler or sidewalk stand?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve providing services as a public amusement (i.e. arcades, concerts, sport events, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve the sale or collection of second-hand articles?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve auctions, flea markets, or pawnbrokers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you answered "yes" to this question, you need to obtain a business license from the License Commission. The Executive Secretary of the License Commission can be contacted at (978) 970-4156. If you answered "not sure" to this question, you should consult with the License Commission in order to determine whether you will need to obtain a license for these items. Please see page 19 of this guide for additional information regarding business licenses.

HEALTH DEPARTMENT:

	YES	NO	NOT SURE
• Does your business involve providing services as a food establishment, bakery or catering service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve the sale or dispensing of milk, ice cream, frozen desserts or carbonated non-alcoholic beverages?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve mobile food or push cart sales?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve providing services as a massage or a massage therapy establishment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve providing tanning services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your business involve providing funeral or burial services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you answered "yes" to this question, you need to obtain a business license from the Health Department. Members of the Health Department staff can be contacted at (978) 970-4141. If you answered "not sure" to this question, you should consult with the Health Department in order to determine whether you will need to obtain a license for these items. Please see page 8 of this guide for additional information regarding business licenses.

STEP 3: PERMITS THROUGH INSPECTIONAL SERVICES

Finally, you should determine whether building permits or other construction- and alteration-related permits are required from the Inspectional Services Department. The following questions can tell you whether you will need a permit from the Inspectional Services Department:

BUILDING PERMIT:

- | | YES | NO | NOT SURE |
|--|--------------------------|--------------------------|--------------------------|
| • Is your business going to construct, alter, repair, or demolish a structure? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered "yes" to this question, you will probably need to obtain a building permit from the Inspectional Services Department. You will need to answer the six questions below in order to determine whether you need to obtain a building permit for your project.

If you answered "not sure" to this question, you should consult with the Inspectional Services Department in order to determine whether you will need to obtain a building permit for your project.

- | | YES | NO | NOT SURE |
|---|--------------------------|--------------------------|--------------------------|
| • Is your business going to construct a one story detached accessory building(s) (used as a tool or storage shed, a playhouse and a similar use) that does not exceed 120 square feet in floor area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Is your business going to construct a fence(s) that is six feet in height or less? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Is your business going to construct a retaining wall(s) which, in the opinion of a building official, is not a threat to public safety, health or welfare and which would retain less than four feet of unbalanced fill? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Is your business going to conduct "ordinary repairs," which does not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Is your business going to construct a greenhouse(s) covered exclusively with plastic film? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered "yes" to any of these questions, you do not need to obtain a building permit from the Inspectional Services Department. If you answered "no" to any of these questions, you need to obtain a building permit from the Inspectional Services Department. Building Inspectors and members of the Inspectional Services staff can be contacted at (978) 970-4036.

If you answered "not sure" to this question, you should consult with the Inspectional Services Department in order to determine whether you will need to obtain a building permit for your project. Do not use your own judgement regarding whether you need a building permit! Officials from the Inspectional Services Department can easily determine whether you need a building permit. Please see page 14 of this guide for additional information regarding Inspectional Services Department procedures and building permits.

ADDITIONAL PERMITS FROM INSPECTIONAL SERVICES:

- | | YES | NO | NOT SURE |
|---|--------------------------|--------------------------|--------------------------|
| <ul style="list-style-type: none"> Is your business going to perform plumbing or gas installation or renovation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered “yes” to this question, you need to obtain additional permits from the Inspectional Services Department for any of these items. If you answered “not sure” to this question, you should consult with the Inspectional Services Department in order to determine whether you will need to obtain a permit for these items. Please see page 16 of this guide for additional information regarding wiring, plumbing or gas permits.

- | | YES | NO | NOT SURE |
|--|--------------------------|--------------------------|--------------------------|
| <ul style="list-style-type: none"> Is your business going to erect any new outdoor signage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <ul style="list-style-type: none"> Is your business going to enlarge any existing signage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered “yes” to either of these questions, you need to obtain a permit for your sign. If you answered “not sure” to this question and your sign is NOT located in the Downtown Lowell Historic District, you should consult with the Inspectional Services Department in order to determine whether you will need to obtain a permit for your sign. Please see page 17 of this guide for additional information regarding sign permits for areas NOT within the Downtown Lowell Historic District.

If you answered “yes” to either of these questions and your sign is located in the Downtown Lowell Historic District, you should consult with the Historic Board in order to determine whether you will need to obtain a permit for your sign. Please see page 12 of this guide for additional information regarding sign permits for areas within the Downtown Lowell Historic District.

- | | YES | NO | NOT SURE |
|--|--------------------------|--------------------------|--------------------------|
| <ul style="list-style-type: none"> Is your business going to conduct any work requiring a building permit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <ul style="list-style-type: none"> Are you changing the use of your building or any space within your building (regardless of whether you are doing construction or alteration of your building)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered “yes” to either of these questions, you need to obtain a certificate of occupancy from the Inspectional Services Department. If you answered “not sure” to this question, you should consult with the Inspectional Services Department in order to determine whether you will obtain an occupancy permit. Please see page 17 of this guide for additional information regarding certificates of occupancy.

STEP 4: ARE YOU FORGETTING ANYTHING?

After all of these steps are complete, you should consult the “Additional Things to Consider” section on page 25 of this guide. This section of guide will help you to determine whether there is anything else that you should consider when starting your business in Lowell.

CONSERVATION COMMISSION

What is the Conservation Commission responsible for?

The Conservation Commission administers the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40) and Lowell's Wetlands Protection Ordinance (City of Lowell Zoning Ordinance). Any construction or alteration of land, including any temporary or permanent structures, additions, driveways, filling, dredging, cutting, cleaning or grading, within 100 feet of any wetlands or waterway, including the City's numerous canals, streams and rivers, will require a permit from the Conservation Commission.

What is a "wetlands"?

"Wetlands" is a general term used to describe areas that are neither fully terrestrial nor fully aquatic. These areas range in character from swamps to shallow, unimpressive depressions that hold water at most only a few weeks out of the year. Some wetlands provide critical habitat for migratory waterfowl, while others check flooding and siltation on our waterways. Some wetlands act as filters - removing contaminants that might otherwise find their way into our drinking water, while others provide us with recreational opportunities such as fishing and boating.

How can I determine whether my project is within 100 feet of a wetlands or waterway?

The Conservation Commission Administrator can tell you if your project will fall within the Conservation Commission jurisdiction. *Don't trust your own judgement!* Many wetlands are not obvious to the untrained eye. The best method for you to determine whether your project falls within the jurisdiction of the Conservation Commission is to file a "Request for Determination of Applicability" with the Conservation Commission. The Conservation Commission will review all "Request for Determination of Applicability" forms at a public hearing, and notify you in writing whether your project falls within the jurisdiction of the Conservation Commission.

What should I do if my project is within 100 feet of a wetland or waterway?

You should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within a wetlands or waterway area and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within twenty-one days of the close of the hearing. The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

How can I contact the Conservation Commission?

The Conservation Commission is located in the Division of Planning and Development office at the J.F.K. Civic Center, 50 Arcand Drive, Lowell MA 01852. The Division of Planning and Development's Environmental Officer, who administers the Conservation Commission, can be reached at (978) 446-7245 or in person by appointment. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room, at the Division of Planning and Development, J.F.K. Civic Center, 50 Arcand Drive, Lowell MA 01852.

HEALTH DEPARTMENT

What is the Health Department responsible for?

The Health Department is responsible for the protection and promotion of the general health of Lowell's citizens. This goal is accomplished through an organized community effort for the sanitation of the environment, the control of communicable disease, the education of the individual in personal health, and the facilitation of every citizen's desire for health and longevity. In addition, the Health Department is responsible for the protection of health, safety and well-being in Lowell by enforcing the State rules and regulations of the minimum standards of fitness of human habitation and the minimum sanitation standards for food establishments. By state law and City ordinance, the Health Department is also the local licensing authority in the City of Lowell for many health-related licenses and permits.

What is the State Sanitary Code?

The State Sanitary Code (105 CMR 590.000) is a legal document that regulates various food service establishments. The Health Department is responsible for the administration and enforcement of the State Sanitary Code, and ensures that all food service establishments, retail food stores, or residential kitchens guarantee food service fit for human consumption. Health Department inspectors will evaluate the following major items according to the standards of the State Sanitary Code: food storage and preparation, employee cleanliness and health, equipment cleaning and sanitation, physical facilities, insect and rodent control, and garbage/refuse storage and control.

How much does a permit or license from the Health Department cost?

The fee schedule for licenses through the Health Department is shown below:

HEALTH DEPARTMENT LICENSE FEES:

Type of License	Associated Cost
Bakery	\$100.00/Year
Burial	\$20.00/Burial
Carbonated Non-Alcoholic Beverages	\$25.00/Year
Carnival/Circus	\$100.00/Year
Catering	\$200.00/Year
Disposal Works Construction Permit	\$75.00/Permit
Food Establishment	\$20.00/Year
Frozen Dessert	\$25.00/Year
Funeral Director	\$100.00/Year
Ice Cream	\$20.00/Year
Massage Therapy	\$100.00/Year
Massage Establishment	\$60.00/Year
Milk	\$20.00/Year
Milk Dispenser	\$20.00/Year
Mobile Food	\$100.00/Year
Night Soil	\$75.00/Truck
Push Cart	\$50.00/Year
Swimming Pool	\$50.00/Year
Tanning	\$100.00/Year

What is the process for obtaining a permit or license through the Health Department?

The process for obtaining a permit or license through the Health Department is composed of the following steps:

1. **Application Submission and Fee Payment:** Any person desiring to open a food service establishment should file a written application for a license on a form provided by the Health Department along with the appropriate fee. The application should include the following information:
 - the applicant's name
 - the name and location of the food service establishment
 - the type of food establishment (i.e. food service establishment, retail food store, or residential kitchen)
 - the type of permit (i.e. annual, seasonal, or temporary)
 - the signature of the applicant.
2. **Site Inspection:** After your application is reviewed, an inspector will visit your site and will perform a comprehensive inspection to ensure that the standards of the State Sanitary Code have been followed. If violations of the State Sanitary Code are present at the site, the inspector will work with the proprietor(s) to resolve these issues.
3. **Approval or Disapproval of Project:** Barring any problems being found during inspection, the Health Department will issue your permit within several working days.
4. **Bi-Annual Review and Inspection:** There will be a bi-annual review and inspection of your food establishment to ensure that the proprietor continues to comply with the State Sanitary Code.
5. **Expiration and Renewal of Permit:** All permits will expire no later than one (1) year from the date issued. All food service establishments must apply for permit or license renewal at least thirty (30) days prior to the expiration of the permit.

Should I contact the Health Department regarding the collection of trash and garbage?

The Health Department is not responsible for the collection of trash, and municipal services are not provided for the collection of trash and garbage generated by businesses. Individual business owners are responsible for hiring a garbage disposal company for the removal of all trash and garbage. If there is no room for a dumpster on the premises, the business should hire a garbage removal company. Garbage and refuse on the premises must be stored in a manner to make them inaccessible to insects and rodents. Outside storage areas or enclosures, if used, must be kept clean and must be large enough to store all the garbage and refuse containers necessitated by disposal pick-up frequency. Also, all food service establishments should have an oil barrel for the collection and disposal of cooking oil.

Should I contact the Health Department regarding graffiti and litter in the vicinity of my business?

The Health Department should be contacted to report graffiti and/or litter. Graffiti, litter, accumulated junk, overgrown vegetation and other refuse can all be considered violations of the State Sanitary Code and City ordinances, which can result in a citation and/or fine from the Health Department. Overall, the removal of graffiti and litter from private property is the responsibility of the property owner – not the City of Lowell. If you would like to report the unlawful accumulation, storage or disposal of litter or trash, you can contact the Health Department from Monday to Sunday at (978) 970-4010. If you witness graffiti occurring, please call 9-1-1 to report a crime in progress.

How can I contact the Health Department?

The Health Department is located at 35 John Street, Lowell MA 01852. The clinic is located on the 1st floor, and can be reached at (978) 970-4151. Permits and licenses can be obtained on the 2nd floor, and can be reached at (978) 970-4141.

HISTORIC BOARD

What is the Historic Board responsible for?

Established by state statute in 1983, the Lowell Historic Board serves to preserve and protect the historic and architectural resources of the Downtown Lowell Historic District while encouraging economic development and tourism in the District's historic setting. As the City's historic preservation and architectural review agency, the Board also maintains the City's inventory of historic structures and sites. In addition, the Board provides technical assistance and information on preservation to property owners and residents citywide. The Board administers design review standards that help ensure that rehabilitation, new construction, and other physical changes respect the architecture and character of the Downtown Lowell Historic District and the Acre Neighborhood District.

How do I know if my project falls within a historic district?

The Historic Board staff can help you determine whether your project falls within the Downtown Lowell Historic District or Acre Neighborhood District. *Don't trust your own judgement!* The best method for you to determine whether your project falls within the jurisdiction of the Historic Board is to consult with the Historic Board staff.

How do I know if my project needs Historic Board review?

Within the Downtown Lowell Historic District, the erection, demolition, reconstruction or alteration of any exterior architectural feature of any building or structure requires the approval of the Historic Board. In addition, the physical alteration or removal of buildings or structures within the Acre Neighborhood District requires the approval of the Historic Board. By state law, no City department, board, or commission can issue any permits, variance, or approvals within the Downtown Lowell Historic District or Acre Neighborhood District until the Historic Board has first issued its approval and/or granted an Historic Permit.

Work is divided into two types under the regulations, and the Historic Board Administrator will determine what type of work is covered in your application:

Minor Development: Cleaning, repainting in original colors, repairing or replacing architectural elements according to historically compatible plans, and placement or removal of certain minor sign types. These are administrative items and do not require a public hearing.

Major Development: Any other changes to a structure within the Downtown Lowell Historic District must be reviewed by the Historic Board at a public hearing.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Historic Board staff. Staff of the Historic Board and its Design Review Committee, that includes architects from the Lowell National Historical Park, can provide guidance and assist applicants in ensuring projects are consistent with the District's historic setting and the Board's design review standards.

What is the Historic Board review process?

The Historic Board review process is composed of the following steps:

1. Consult with the Historic Board staff as soon as you begin to consider doing work to determine whether the work will require review and what guidelines apply.

2. Complete the application form including all required materials and application fee.
3. Attend design review committee meetings to discuss your proposal and hear determinations on minor development.
4. Attend a public hearing if required, to present the application.

The Historic Board review process will ultimately result in the issuance of a Historic Permit, the issuance of a Historic Permit with conditions, or the denial of the project. The review process will take approximately 7 days for minor development and 30 days for major development depending upon the completeness of the application and timing of submittal.

Do I need to get a permit from the Historic Board for my sign?

The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available. If your business is located inside of the Downtown Lowell Historic District, a permit for your sign can be obtained from the Historic Board. Do not fabricate or install any signage until approval has first been granted by the Board. If your business is located outside of the Downtown Lowell Historic District, your sign must instead be approved by the Inspectional Services Department, and you should see page 17 of this guide for additional information.

Historic Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the District. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations.

How much does a permit from the Historic Board cost?

The fee schedule for permits through the Historic Board is shown below:

HISTORIC BOARD PERMITS:

Sign Permit	\$25.00
Minor Development	\$25.00
Major Development	
<i>Under \$2,500.00</i>	\$25.00
<i>\$2,500.00 - \$4,999.00</i>	\$50.00
<i>\$5,000.00 - \$9,999.00</i>	\$75.00
<i>\$10,000.00 - \$99,999.00</i>	\$100.00
<i>\$100,000.00 - \$249,000.00</i>	\$125.00
<i>Over \$250,000.00</i>	\$150.00
NONPROFIT ORGANIZATIONS	
50% of above but never less than \$25.00	

How can I contact the Historic Board?

The Historic Board is located at the J.F.K. Civic Center, 50 Arcand Drive, Lowell MA 01852. The Historic Board staff can be reached at (978) 970-4270 or in person by appointment. Additional information can be found at www.historiclowell.net.

INSPECTIONAL SERVICES DEPARTMENT

What is the Inspectional Services Department responsible for?

The Inspectional Services Department is the City's local authority for review, inspection and compliance of the State Building Code and local zoning laws. In particular, the Inspectional Services Department enforces the Commonwealth of Massachusetts State Building Code (780 CMR), the City of Lowell Zoning Ordinance, and the State Plumbing and Gas Code. The Inspectional Services Department is responsible for the issuance of building permits, certificates of occupancy, sign permits, gas permits, and plumbing permits.

What is a "building code"?

The "building code" is a legal document that regulates the construction and alteration of buildings. A variety of regulations, including light, ventilation, structural loads, and many other regulations, are typically included in building codes. The purpose of a building code is to protect the public health and welfare by reducing potential hazards in construction, lowering construction costs, providing standards in construction, and contributing to community well-being.

Who needs a building permit?

Anyone seeking to construct, alter, repair, or demolish a structure must first obtain a building permit as required by Section 110.0 of the Massachusetts State Building Code (780 CMR). The building permit must be obtained before the start of any work, and must be prominently posted at the job site.

When is a building permit is not required?

A building permit is not required for the following activities:

1. One story detached accessory building used as tool or storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences six feet in height or less
3. Retaining walls which, in the opinion of a building official, are not a threat to the public safety health or welfare and which retain less than four feet of unbalanced fill.
4. "Ordinary repairs" as defined in the Massachusetts Building Code - 780 CMR 2. "Ordinary repairs" do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

5. A building permit or notice to the building official is not required for the construction of greenhouses covered exclusively with plastic film. This exemption does not apply if the greenhouse is to be used for large assemblies of people or uses other than normally expected for this purpose.

Who can request a building permit?

A building permit is issued to construction supervisors licensed by the City of Lowell. The licensed construction supervisor is responsible for being on site to supervise critical aspects of the construction. If the licensed supervisor designated on the permit application leaves the project before completion, the construction work must cease and the Inspectional Services Department must be notified immediately. A new licensed construction supervisor needs to be designated before construction work can recommence. Construction supervisors licensed by the State Board of Building Regulations and Standards are also issued building permits, but work is limited to structures under 35,000 cubic feet in volume.

As an exception, building permits are issued to homeowners doing work on one or two unit's dwellings where they reside or intend to reside. When a homeowner receives a building permit, he or she is liable for any contractors working on the project and will not be eligible for protection under the provisions of the Homeowners Improvement Contract Law. For this reason, it is generally a good idea for building permits to be issued to licensed construction supervisor.

What are the steps in applying for a building permit?

1. **Application Pick-Up:** A building permit application form (along with application instruction sheets and related forms), which can be obtained from the Inspectional Services Department in City Hall, should be completed and submitted along with all required materials. A complete listing of all the materials that are required along with the submission of a building permit can be found in Appendix A: Building Permit Submission Requirements on page 28 of this guide.
2. **Required Plans:** The application must be accompanied by three (3) sets of working drawings unless review by the Fire Department is required, in this case you will need to submit four (4) sets. The plans are to be drawn to scale (1/4" = 1'-0" min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. For a complete list of plan requirements, please see Appendix B: Building Permit Plan Submission Requirements on page 29 of this guide. The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.
3. **Application Submission:** The licensed builder or the homeowner (for one or two family owner occupied dwellings) delivers the application to the Inspectional Services Department. A building inspector will review the application to ensure it is complete and contains sign-offs from the proper City Departments (Fire Department, Historic Board, Public Works, etc.) as applicable for that specific project. If the application is incomplete, the licensed builder or homeowner will have to provide the additional information before the application can be approved and the permit issued.
4. **Fee Payment:** Once your application has been reviewed and approved by the Inspectional Services, you will need to pay a fee. The fee is based on the type of project (new construction, rehabilitation, etc.) and also based upon the total cost of the project. For additional information on building permit fees, please see page 17 of this guide.

5. **Plan Review:** The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap access, zoning, and building.

All projects involving the construction or development of any building or buildings exceeding 10,000 square feet in non-residential gross building area or exceeding six (6) residential dwelling units require approval of the Planning Board prior to submission of a building permit. If a project requires the approval of the Planning Board, no permits can be issued by the Inspectional Services Department until the Planning Board provides approval or conditional approval of the project. For more information on the Planning Board, please see page 21 of this guide.

6. **Approval or Disapproval of the Project:** The Building Code requires that action be taken on the permit application within 30 days of the filing date. Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.
7. **Periodic Review and Inspection:** The following minimum required inspections (and filings) will be required from construction start-up to project completion:
- Excavation inspection before any concrete is placed.
 - “Reinforcing Inspection” if reinforcing is used or required prior to placing concrete.
 - Certified “As-built” survey when foundation is in place (or as otherwise directed by the office).
 - Foundation Inspection with waterproofing in place and walls braced on 1st deck installed (No backfill to be placed until after the foundation is approved and braced per above).
 - Rough electrical, plumbing, and gas inspections signed off.
 - Fireplace (before completing chimney and after).
 - Rough framing with all firestopping in place, but prior to any insulation.
 - Insulation inspections, after all framing corrections are done and signed off.
 - Final electrical, plumbing and gas sign off.
 - Smoke detector, oil burner & tank sign off (by the Fire Department)
 - Final building inspections.
 - Completed job card to be submitted to Building Department after all other departments have signed off in their appropriate spaces.

Are there any other permits that should be obtained from the Inspectional Services Department?

1. **Plumbing and Gas Permits:** If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees. For fee information for plumbing and gas permits, please see pages 17-18 of this guide.
2. **Certificate of Occupancy:** For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a certificate of occupancy being issued from the Inspectional Services Department. In this case, the occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

3. **Sign Permits:** The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available. If your business is located outside of the Downtown Lowell Historic District, a permit for your sign can be obtained from the Inspectional Services Department. If your business is located within the Downtown Lowell Historic District, your sign must instead be approved by the Historic Board, and you should see page 12 of this guide for additional information.

Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations.

How much does a permit from the Inspectional Services Department cost?

The fee schedule for licenses through the Inspectional Services Department is shown below:

NEW BUILDINGS, ADDITIONS, ALTERATIONS:

Value	Fee
Over \$1,000 but not over \$2,000	\$15.00
Over \$2,000 but not over \$3,000	\$25.00
Over \$3,000 but not over \$4,000	\$35.00
Over \$4,000 but not over \$5,000	\$55.00
Over \$5,000	\$7.00 per \$1,000 in value over \$5,000

RETAINING WALLS:

Type of Retaining Wall	Fee
Residential	\$75.00
All Others	\$100.00

DEMOLITIONS:

Number of Stories	Fee
3 Stories or Less	\$50.00
4 or 5 Stories	\$100.00
Over 5 Stories	\$125.00

PLUMBING PERMITS (COMMERCIAL USE):

Renovations and New	\$60.00 for up to 5 fixtures \$6.00 for each additional fixture
Replacements	\$55.00 for up to 5 fixtures \$6.00 for each additional fixture
Renovations and New (<i>Single Fixture Installation</i>)	\$25.00 including water heater
Replacements (<i>Single Fixture Installation</i>)	\$20.00 including water heater
Re-Inspection Fee	\$20.00/Inspection
For work started without a permit, fees will be doubled.	

GAS PERMITS (COMMERCIAL USE):

Meter	\$50.00
Appliance	\$7.00 each (plus pipe size)
1" Main Pipe Size	\$20.00
1.25" Main Pipe Size	\$25.00
1.5" Main Pipe Size	\$30.00
2" Main Pipe Size	\$35.00
2.5" Main Pipe Size	\$40.00
3" Main Pipe Size	\$45.00
4" Main Pipe Size	\$50.00
Over 4" Main Pipe Size	\$60.00
Appliance Replacement	\$20.00 each
Re-Inspection Fee	\$10.00
For work started without a permit, fees will be doubled.	

Sign Permits: \$2.00/Square Foot of Sign

Occupancy Permits: \$60.00

How can I contact the Inspectional Services Department?

The Inspectional Services Department is located in the 2nd floor of City Hall, 375 Merrimack Street, Lowell MA 01852. Building Inspectors and members of the Inspectional Services staff can be reached at (978) 970-4036 or in person by appointment.

LICENSE COMMISSION

What is the License Commission responsible for?

The License Commission is the agency in the City of Lowell responsible for the licensing and regulation of many different types of businesses and events. By state law and regulation, the Licensing Commission is the local licensing authority in the City for the licensing of businesses that sell alcoholic beverages either for on-premises consumption, including restaurants, or off-premises consumption, including special events. In addition, the Licensing Commission serves as the licensing authority for the City of Lowell for public amusements, retail/food establishment without alcohol and many varieties of second-hand goods dealers.

How much does a license from the License Commission cost?

The fee schedule for licenses through the License Commission is shown below:

ALCOHOLIC BEVERAGES (ON PREMISES CONSUMPTION):

Type of License	Associated Cost
Hotel	\$3,500.00/Year
Restaurant	\$2,500.00/Year
Club (Non-Profit Organizations Only)	\$3,000.00/Year
Tavern	\$1,500.00/Year
Duplicate License	\$50.00 each
Filing Fee	\$50.00 each

ALCOHOLIC BEVERAGES (OFF PREMISES CONSUMPTION):

Type of License	Associated Cost
Retail Package Goods Store	\$2,000.00/Year
Druggist	\$600.00/Year
Duplicate License	\$50.00 each
Filing Fee	\$50.00 each

MALT BEVERAGES AND WINES:

Type of License	Associated Cost
Restaurant	\$1,500.00/Year
Duplicate License	\$50.00 each
Filing Fee	\$50.00 each

RETAIL/FOOD SERVICES ESTABLISHMENTS (FSE) WITHOUT ALCOHOL:

Type of License	Associated Cost
Innholder (Hotels)	\$50.00/Year
Common Victualler (Restaurant & Taverns)	\$50.00/Year
Lodging House	\$50.00/Year
Coffee House	\$50.00/Year
Retail Vendors of Soft Drinks	\$10.00/Year
Hawker and Peddler - Fruits and Vegetables	\$50.00/Year
Hawker and Peddler - Fish	\$50.00/Year
Sidewalk Stand	\$5.00/Day

PUBLIC AMUSEMENT:

Type of License	Associated Cost
Arcade/Recreational Centers	\$100.00/Year
Theatre - Indoor and Outdoor	\$100.00/Year
Roller Skating Rink	\$100.00/Year
Dance Hall	\$100.00/Year
Carnival	\$100.00/Day
Circus	\$100.00/Day
Golf Driving Range	\$100.00/Year
Concert	\$100.00/Concert
Wrestling	\$100.00/Event
Boxing	\$50.00/Event
Fair	\$25.00/Event
Show	\$100.00/Event
Billiards and Pool - Pool Parlor (per table)	\$50.00/Year
Billiards and Pool - Liquor Establishment (per table)	\$100.00/Year
Bowling (per lane)	\$100.00/Year
Closed Circuit TV	\$100.00/Year
Dance	\$50.00/Event
Movie	\$100.00/Event
Exposition/Seminar/Pageant	\$100.00/Event

SECOND-HAND, JUNK DEALERS, JUNK COLLECTORS AND FLEA MARKETS:

Type of License	Associated Cost
Auctioneer	\$50.00/Year
Special Auctioneer	\$50.00/Day
Flea Market	\$100.00/Year
Junk Collector	\$10.00/Year
Junk Dealer	\$300.00/Year
Old Gold, Silver and Platinum	\$50.00/Year
Pawnbroker	\$100.00/Year
Second-Hand Articles and/or Clothing	\$25.00/Year
Second-Hand Articles and/or Clothing - Rummage Sale	\$10.00/Year

What is the process for obtaining a license through the License Commission?

The process for obtaining a license through the License Commission is composed of the following steps:

1. File an application for a license including all required materials and license fees.
2. The City's License Commission will hold a public hearing and meet with your business. The License Commission review process will ultimately result in the issuance of a license or the denial of a license.
3. In the case of licenses involving alcoholic beverages, the City's License Commission must act on your application with 30 days. Within 3 days after local approval, the License Commission must submit your application to the State Alcoholic Beverages Control Commission (ABCC) for review and approval. Within 7 days of receipt of ABCC approval, the License Commission will issue your license.

What else should I know about obtaining a liquor license?

All individuals applying for a liquor license should be aware of the following information:

1. Within 10 days after the receipt of an application, the City's License Commission must publish, at the applicant's expense, a notice of the application in a Lowell newspaper. The License Commission must hold a hearing on the license application no sooner than 10 days after the notice appears in the newspaper. *If a notice is not sent to any abutter as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*
2. If the proposed premises are within 500 feet of a church, hospital or school, a copy of the published notice must be sent, by registered mail, to any of these institutions. Applicants who are inn-holders and applicants who are located 10 or more floors above street level are not required to send these notices. The notice must state that a written objection by the governing body of the church, hospital or school must be filed with the City's License Commission to oppose the issuance of this license. *If a notice is not sent to any church, hospital or school as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*
3. In the case of a liquor license transfer, the old owner of the premises is still liable for the operation of the premises until a new liquor license is issued. In addition, the new owner may not take part in the operation of the premises until a new liquor license is issued.
4. In the case of a liquor license transfer, the Department of Revenue (DOR) will research the tax history of the current and new owners for all types of taxes, including sales, meals, withholding, corporate excise, room occupancy and personal income taxes, if applicable. In this case, the ABCC will not approve any license until the DOR signs off on the application. It will be up to the applicant to resolve any outstanding tax issues or questions.
5. The ABCC will have an investigator visit or telephone the applicant to ask certain information about the application, including, but not limited to, the people involved and the financing. It is important that the parties respond promptly to investigators' questions.
6. Applicants should know that there is a possibility that a license may not be issued. **Operation without a license or before final approval can have serious results, including the denial of the application or the revocation of the existing license, if any. In certain circumstances, these actions can also lead to possible criminal and civil liability.**

How can I contact the License Commission?

The License Commission is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852. The Executive Secretary of the License Commission can be reached at (978) 970-4156 or in person by appointment.

PLANNING BOARD

What is the Planning Board responsible for?

The City of Lowell Planning Board is responsible for the oversight and execution of the subdivision control laws and the City's Site Plan review process. The Site Plan review process was adopted pursuant to the Home Rule Amendment of the Massachusetts Constitution in order to protect and promote the health, safety, convenience, and general welfare of the inhabitants of the City, and to promote acceptable site planning practices and standards within the City of Lowell.

How do I know if my project needs Site Plan review?

Site Plan review applies to the construction and development of any building or buildings exceeding 10,000 square feet in non-residential gross building area or exceeding six residential dwelling units. For all projects meeting this requirement, no building permits can be issued until the Planning Board grants approval or conditional approval of the project. Applicants for Site Plan review are encouraged to schedule a meeting with the Planning Board Administrator in order to review Planning Board submission requirements.

What does the Planning Board review during the Site Plan review process?

During Site Plan review, the Planning Board reviews and amends all submitted plans in accordance with the following criteria:

- adequacy of parking facilities
- adequacy of loading facilities
- adequacy of the traffic circulation system
- adequacy of access points and routes to and from the land parcel to adjoining streets and ways
- adequacy and amount of external lighting
- adequacy of type, quality, and quantity of landscaping
- adequacy of type, quality and quantity of vegetative screening, berms and fencing
- adequacy of sewage disposal
- adequacy of surface drainage across and from the site
- adequacy of method of water distribution to and from the parcel and its structures, including fire protection
- adequacy of pedestrian circulation systems

How do I submit my Site Plan for review of the Planning Board?

The Planning Board Site Plan review process is composed of the following steps:

1. Go to the Planning Board office (JFK Civic Center) to consult with the Planning Board Administrator regarding your Site Plan. The Planning Board Administrator can advise whether your plan will require Site Plan review.

2. Pick up a Site Plan review application from the Planning Board officer. ***You must submit your Site Plan 30 days prior to a planning board meeting in order to have your Site Plan placed on the agenda for that meeting.*** You will need to submit 11 copies of your application and your Site Plan along with a \$50 application fee. Your Site Plan should be at a scale of 1" to 50' or greater for clarity, and should include the following additional information:

- A zoning evaluation table showing how the development meets or fails to meet the requirements of the Zoning Ordinance
- Location and dimensions of all other buildings and construction
- Location and dimensions of all parking areas, loading areas, walkways and driveways
- Internal roadways and accessways to adjacent public roadways
- Location and type of external lighting
- Location, type and dimensions of landscaping and screening
- Location and dimension of utilities
- Location of snow storage areas and trash dumpsters
- Location of all natural features

Your Site Plan should also include a brief narrative that explains how your Site Plans meets all requirements adequately. During the application process, you will be able to work with the Planning Board office to develop a certified abutter list, which is a list of parties of interest in your project, for public notification purposes.

3. Attend the public hearing that will be held approximately within 30 days of the submission of your application. You will be called upon to provide information and answer questions regarding your Site Plan.

The Planning Board review process will ultimately result in the approval or denial of your Site Plan. The Planning Board will make a decision regarding your Site Plan within 90 days of the filing of your application.

How can I contact the Planning Board?

The Planning Board is located in the Division of Planning and Development office at the J.F.K. Civic Center, 50 Arcand Drive, Lowell MA 01852. The Planning Board Administrator can be reached at (978) 446-7245 or in person by appointment. The Planning Board meets twice monthly at 7:00 PM in the Arthur Hammar Conference Room, at the Division of Planning and Development, J.F.K. Civic Center, 50 Arcand Drive, Lowell MA 01852.

ZONING BOARD of APPEALS

What is the Zoning Board of Appeals responsible for?

The Zoning Board of Appeals (ZBA) is an appointed board with the authority to grant “special permits” and “variances” for exceptions to the City of Lowell Zoning Ordinance. The mission of the ZBA is to protect and preserve the general purpose and intent of the Zoning Ordinance while granting exceptions for certain hardships and conditions.

What is a “special permit”?

A “special permit” is a permit granted by the ZBA that allows for exceptions to the use of a property. As shown in the Zoning Ordinance’s Table of Allowed Uses (see Appendix F on page 34 of this guide), certain uses are only allowed in certain zones of the City if a special permit is granted by the ZBA. For example, drive-in restaurants are only allowed in industrially zoned areas of the City if a special permit is granted by the ZBA. The ZBA has the authority to place conditions on any special permit granted.

What is a “variance”?

A “variance” is a request to waive certain requirements of a zoning ordinance. A variance can only be granted by the ZBA for one of the following conditions: special hardships, the public good, and the intent of satisfying the Zoning Ordinance. An example of a variance would be a request to construct a building without the required frontage or side yard requirements. The ZBA has the authority to place conditions on any variance granted.

Can I get a “variance” to change the zoning or use of my property?

No. The ZBA cannot change the zoning or allowed use of a property. Only the City Council has the authority to rezone a property.

How do I submit a request for a special permit or variance to the Zoning Board of Appeals?

The ZBA review process is composed of the following steps:

1. Go to the Inspectional Services Department (2nd floor of City Hall) to determine whether your proposed plans for additions, alterations, or new construction conform to the City’s Zoning Ordinance. If your project does not conform, you will receive a “letter of denial” for your project from the Building Department. You cannot apply to the ZBA without a letter of denial.
2. Bring your letter of denial to the ZBA office and pick up a ZBA application. You will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with a \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes.

3. Attend the public hearing that will be held within 65 days of the submission of your application. You will be called upon to present evidence to the ZBA regarding your position.

The ZBA review process will ultimately result in the issuance or denial of your requested special permit or variance. The ZBA will make a decision regarding a variance within 100 days of the filing of your application, and will make a decision regarding a special permit within 90 days of the filing of your application.

How do I contact the Zoning Board of Appeals?

The ZBA is located in the Inspectional Services Department in the 2nd floor of City Hall, 375 Merrimack Street, Lowell MA 01852. The ZBA Administrator can be reached at (978) 970-4149 or in person by appointment. The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall, 375 Merrimack Street, Lowell MA 01852.

ADDITIONAL THINGS TO CONSIDER

Do I need a permit to get a curb cut?

If a new curb cut is necessary for the off-street parking or loading for your facility, you should fill out an application with the Department of Public Works (DPW). The Department of Public Works will review your application, and send you a bill. Upon payment of the bill, the curb cut will be scheduled by the City's contractor. In some cases, your contractor may be allowed to make the curb cut with special permission of the Commissioner of Public Works. Any curb cut in excess of 32 feet will also require City Council approval. The fee for a curb cut will vary with site conditions.

If you need information regarding curb cuts, you should contact the Engineers Department, which is located in the 3rd floor of City Hall, 375 Merrimack Street, Lowell MA 01852. Any of the staff of the Engineers Department can be reached at (978) 970-3329 to discuss curb cuts.

Who should I contact to have my water service turned on or connected?

The Lowell Regional Water Utility is responsible for all issues regarding existing and new water service in the City of Lowell. The Lowell Regional Water Utility, which is located at 815 Pawtucket Boulevard, Lowell MA 01854, can be reached at (978) 970-4242 to discuss any issues regarding water utilities. The following fees are associated with establishing water service within the City:

WATER SERVICE FEES (EXISTING SERVICE):

Turning Water Service On or Off	\$40.00
Service Calls	\$50.00
Frozen Meters	\$75.00
Final Meter Reading	\$25.00
Street Opening Permit	\$50.00
Street Closing Permit	\$25.00

WATER SERVICE FEES (NEW SERVICE):

Tapping Fee	\$500.00
Entry Fee	\$777.36
Irrigation Meter	\$213.00
New Services Over 1"	\$590.00
Fire Service/Sprinkler	\$590.00

Who should I contact regarding having my sewer service connected?

The Lowell Regional Wastewater Utility is responsible for all issues regarding existing and new wastewater/sewage utilization in the City of Lowell. The Lowell Regional Wastewater Utility, which is located at 451 First Street, Lowell MA 01850, can be reached at (978) 970-4248 to discuss any issues regarding wastewater utilities. The following fees are associated with establishing sewer service within the City:

WASTEWATER SERVICE FEES (NEW SERVICE):

Sewer Assessment Fee	\$0.01 Multiplied by the Total Square Feet of Lot Area
Sewer Permit Fee	\$75.00
Street Opening Permit	\$50.00
Street Closing Permit	\$25.00

Sewage flows over 15,000 gallons per day and sewer main extensions also require a permit from the Commonwealth of Massachusetts. Certain commercial and industrial sewage may also require pretreatment prior to discharge to the City sewer.

Who should I contact to obtain an electrical permit?

The City Electrician's Office is responsible for the issuance and oversight of all electrical permits in the City of Lowell. The City Electrician's Office, which is located at 1365 Middlesex Street, Lowell MA 01851, can be reached at (978) 970-3333 to discuss any issues regarding electrical permits. The following fees are associated with electrical permits:

ELECTRICAL PERMITS (COMMERCIAL AND INDUSTRIAL USE):

Blanket Permits	\$400.00
Per Full Time Electrician	\$80.00
New Construction and Alterations	\$2.00 per \$1,000 of total construction cost (\$80.00 minimum)
Burglar Alarms	\$25.00
Temporary Permits	\$30.00 for the 1 st 100 amps \$10.00 for each additional 100 amps

Do I need to register my business with the City?

If you are operating your business as a *sole proprietorship*, where one individual owns the business, or as a *partnership*, where two or more individuals own the business (but not as a corporation), you will need to obtain a D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and a D/B/A certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for a period of four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

If you need additional information regarding the business certificate process, you should contact the City Clerk's Office, which is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852. Any of the staff of the City Clerk's Office can be reached at (978) 970-4159.

Who should I contact regarding the taxes on my property?

If you need information regarding the assessment of your property, you should contact the City's Assessor's Office, which is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852. Any of the City's assessors can be reached at (978) 970-4200 to discuss real estate and personal property tax assessments. In addition, the Assessor's database of appraised property values can be accessed through their webpage at <http://65.200.165.162/LowellMA/NAVBAR.asp>

If you need information regarding your tax bill or the payment status of your account, you should contact the City Treasurer's Office, which is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852. Any of the staff of the Treasurer's Office can be reached at (978) 970-4222 to discuss your tax payment status.

Who should I contact regarding having my electrical service established?

On the subject of your electrical service, you should call Massachusetts Electric Company's toll free phone number at (800) 322-3223. This phone number is available 24 hours a day, every day of the year, in order to request new service (please provide a minimum of 48 hours notice), to reconnect or disconnect service, to obtain your account balance and payment history, to make changes to your account information, to report a power outage, to discuss credit and collection issues, or to report a malfunctioning streetlight or flood light. The Massachusetts Electric Company can also be contacted by e-mail at masselectric@us.ngrid.com or business@us.ngrid.com, by fax at (508) 357-4730 or by mail at the following address:

Massachusetts Electric Company
Customer Service Center
55 Bearfoot Road
Northborough, MA 01532-1555

Who should I contact regarding having my natural gas service established?

On the subject of your natural gas service or converting to natural gas service for your business, you should call Keyspan Energy Delivery toll free phone number at (800) 548-8000. Keyspan can also be contacted through their web page at www.keyspanenergy.com/.

APPENDIX A: BUILDING PERMIT SUBMISSION REQUIREMENTS

The following information will be required when you apply for a building permit:

- ♦ Date
- ♦ Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- ♦ Contractor (*if there is to be one*)
- ♦ Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/or engineer*)
- ♦ Address
- ♦ Zoning district
- ♦ Assessor's ID number
- ♦ Overlay district, variance/special permit (*if any*)
- ♦ Lot size (*in square feet*)
- ♦ Type of work
- ♦ Class of construction
- ♦ Proposed use
- ♦ Description of work (*in general terms*)
- ♦ Value of work (*include all labor and donations*)
- ♦ Public or private sewer and water
- ♦ Flood plain
- ♦ Tax exempt property

In addition, the following additional information will be required with your application (*if applicable*):

<i>Inspectional Services Department</i>	Homeowner's License exemption form (<i>if applicable</i>) Debris disposal form (<i>not for new buildings</i>) Additional information for special cases as determined by the Commissioner
<i>Insurance Company</i>	Worker's Compensation Insurance Certificate or State Affidavit form (<i>Inspectional Services Department will provide the form</i>)
<i>Planning Board</i>	Signed "lot release" or recorded "ANR" plan (<i>if applicable</i>)
<i>Zoning Board of Appeals</i>	Recorded copy of Variance, Special Permit or Appeal Decision (<i>if applicable</i>)
<i>Health Department</i>	Well permit and approved well water test results (<i>if applicable</i>) Septic system permit (<i>if applicable</i>)
<i>Department of Public Works</i>	Street Number Sewer Permit (<i>if applicable</i>) Water permit (<i>if applicable</i>)
<i>Assessor's Office</i>	Map & parcel number
<i>Fire Department</i>	Alarms Suppression Oil Burners Flammable Storage Hazard Materials
<i>Environmental Protection Agency</i>	Asbestos removal (<i>if applicable</i>)

APPENDIX B: BUILDING PERMIT PLAN SUBMISSION REQUIREMENTS

All plans submitted to the Inspectional Services Department along with a building permit application should include, but are not limited to, the following items:

Floor:

- Showing location, dimension and uses of all spaces (*i.e. bedroom, closet, hall, etc.*)
- Means of egress (*i.e. doors, stairs, halls, etc.*)
- Method, amount and location of natural light and ventilation of habitable rooms and including a chart showing a minimum of 8% glass and 4% ventilation by room.
- Attic and/or crawl space ventilation (*"net free vent area"*) and required access.

Framing Plans (Structural):

- Showing & dimensioning of spans.
- Bearing wall & alignment
- Type & Size of material including the grade and species of lumber
- Foundation and interior footing

Elevations:

- Showing façade
- Window location
- Building height and spacing
- Railing height and spacing
- Chimney height and clearances

Mechanical Plans:

Sufficient detail to show all applicable features and clearances of applications and systems including:

- Size and type of apparatus (*including name, model, certifying agency*)
- Construction and size of flue, stack or chimney;
- Stack connections;
- Type of fuel;
- Method of operation;
- Method of compliance with all the regulations for the class and types of the equipment installed.
- Distribution elements and safeties including pressure-controlling devices;
- Combustion make-up air required and sources.
- Ventilation (*if mechanical is used for code compliance*)
- Exhaust System

Sections:

- Fire separation walls and/or floors showing material ratings
- Hand and guard rail heights and spacing
- Foundations and footing, reinforcing, anchoring, damp/water proofing
- Attic and /or crawl space ventilation
- Insulation location, type and “R” values (*or MecCheck Report for Alternative Method*)
- Finished ceiling and floors height
- Grade elevations and exteriors
- Stair head height

Miscellaneous:

- Fire and draftstopping and finish material, if needed for code compliance
- All fireplace details and dimensions, size and materials
- Type of heating system
- Fire detection location
- Anchor bolts and bulkheads
- Information, calculations and other information for compliance with Appendix J (*Energy Code*)

Surveyor’s Certified Plot Plan:

- Must be provided for any protrusion beyond legally existing buildings and structures (and in some cases of non-conforming structures even if no lateral expansion is proposed) and for all new building and structures, showing all dimensional setback (*homes, a box which the houses will fit inside is acceptable on a proposed plan*). The plan must also include the lot coverage and open space percentages, existing and proposed grading. The plan must have an original stamp and signature of a registered land surveyor or professional land surveyor (“*wet*” stamp and signature). A certified “As Built” plan prepared, wet stamped and signed must be submitted prior to the foundation inspections being signed off by this department for backfilling.

APPENDIX C: TABLE OF DIMENSIONAL REQUIREMENTS

The following information is an excerpt from the City of Lowell Zoning Ordinance. For complete information regarding dimensional requirements in the City of Lowell, a complete copy of the Zoning Ordinance can be purchased from the City Clerk's Office, which is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852

DIMENSIONAL REQUIREMENTS

District	Maximum Floor to Area Ratio	Minimum Lot Size (Square Feet)	Minimum Lot Area per D.U. (Square Feet)	Maximum Building Height	Maximum Building Stories
S1	0.5	10,000	N/A	35	2.5
S2	0.5	7,000	N/A	35	2.5
TF	0.5	6,000	3,000	35	2.5
SM-2	0.75	6,000	2,000	35	3
UM-2	1.0	6,000	1,500	35	3
M3	1.5	6,000	1,000	65	7
M4	1.5	3,400	850	35	3
B1	1.0	-	-	40	3
B2, B2A	1.5	-	-	-	-
B3	4.0	-	-	-	-
B4	4.0	-	-	-	-
IA	2.0	-	-	-	-
IB	4.0	-	-	-	-
IP	2.0	-	-	50	4
IPHR	3.0	-	-	200	15

District	Minimum Lot Frontage (Feet)	Minimum Front Yard (Feet)	Minimum Side Yard (Feet)	Minimum Rear Yard (Feet)	Useable Open Space (% of Gross Floor Area)
S1	75	25	10 sum of 25	25	-
S2	65	20	10 sum of 25	20	-
TF	60	20	10 sum of 25	20	30
SM-2	50	15	10 sum of 25	20	25
UM-2	50	15	10 sum of 25	20	25
M3	50	15	10	20	20
M4	40	0	10 sum of 20	20	-
B1	25	25	-	20	-
B2, B2A	25	25	-	40	-
B3	25	-	-	-	-
B4	25	-	-	-	-
IA	25	-	-	-	-
IB	25	-	-	-	-
IP	25	40	20	40	-
IPHR	25	-	-	-	-

**APPENDIX D:
TABLE OF PARKING
REQUIREMENTS**

The following information is an excerpt from the City of Lowell Zoning Ordinance. For complete information regarding parking requirements in the City of Lowell, a complete copy of the Zoning Ordinance can be purchased from the City Clerk's Office, which is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852, or the Division of Planning and Development, which is located in the JFK Civic Center, 50 Arcand Drive, Lowell MA 01852.

PARKING REQUIREMENTS (COMMERCIAL & INSTITUTIONAL ONLY): Number of Square Feet of Gross Floor Area Requiring One (1) Space by Type of Use

District	Institution	RETAIL AND OFFICE		Factory and Warehouse
		Ground Floor	Other Level	
S1	600	-	-	-
S2	600	-	-	-
TF	600	-	-	-
SM-2	1000	-	-	-
UM-2	1000	-	-	-
M3	1000	-	-	-
B1	1000	500	1000	-
B2, B2A	1000	150	500	-
B3	-	-	-	1600
IA	1000	500	1000	1600
IB	1000	900	1800	2000
IP	1000	900	1800	2000
IPHR	1000	700	1400	1800

APPENDIX E: TABLE OF LOADING REQUIREMENTS

The following information is an excerpt from the City of Lowell Zoning Ordinance. For complete information regarding loading requirements in the City of Lowell, a complete copy of the Zoning Ordinance can be purchased from the City Clerk's Office, which is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852, or the Division of Planning and Development, which is located in the JFK Civic Center, 50 Arcand Drive, Lowell MA 01852.

LOADING REQUIREMENTS: (Number of Bays Required for New Structure by Gross Floor Area of Structure (in thousands of square feet))

	Under 5	5-50	51-100	101-150	151-300	Over 300 (for each additional 150)
Retail trade	0	1	2	3	4	1
Wholesale and storage	0	1	2	3	4	1
Transportation terminal	0	1	2	3	4	1
Manufacturing	0	1	2	3	4	1
Public utility	0	1	2	3	4	1
Consumer services	0	1	1	2	3	1
Office building	0	1	1	2	3	1
Hotel, motel, dormitory	0	1	1	2	3	1
Recreation	0	1	1	2	3	1
Research laboratory	0	1	1	2	3	1
Institution	0	0	1	1	2	1

The following requirements apply to an IPHR district:

Manufacturing and warehousing:

Buildings used for manufacturing or warehousing shall have one (1) bay for each one hundred fifty thousand (150,000) square feet or portion thereof.

Office:

One (1) bay shall be required for buildings containing from five (5) to one hundred fifty thousand (150,000) square feet of gross floor area.

Two (2) bays shall be required for buildings containing up to six hundred thousand (600,000) square feet.

APPENDIX F: TABLE of ALLOWABLE USES

The information on the following pages is an excerpt from the City of Lowell Zoning Ordinance. For complete information regarding dimensional requirements in the City of Lowell, a complete copy of the Zoning Ordinance can be purchased from the City Clerk's Office, which is located in the 1st floor of City Hall, 375 Merrimack Street, Lowell MA 01852, or the Division of Planning and Development, which is located in the JFK Civic Center, 50 Arcand Drive, Lowell MA 01852.

Several minor changes have been made to the Table of Allowable Uses since its original inception. Always double-check with the Inspectional Services Department in reference to allowable land uses.

Principal Uses		S-1 S-2	TF	UM-2 SM-2	M-3	M-4	B-1	B-2 B-2A	B-3	B-4	IA IP IPHR	IB
4. RETAIL BUSINESS AND CONSUMER SERVICE USES												
a.	Stores – 5,000 square feet or less of gross floor area per establishment, primarily serving the local retail business needs of the residents of the vicinity, including but not limited to grocer, food, package, dry goods, clothing, hardware, florists, drugstore <u>Eating Places</u> – including but not limited to lunch room, restaurant, cafeteria, places for sale and consumption of beverages, ice cream etc., primarily in enclosed structures with no dancing or entertainment other than music. <u>Service Business</u> – including: 1. Barber, beauty shop, laundry and dry cleaning pick-up agency, shoe repair, self-service laundry or other similar uses 2. Hand laundry, dry cleaning or other similar use, provided personnel on premises is limited to five employees. 3. Printing shop, photographers studio, career, or other similar use, provided personnel on premises is limited to five employees.	N	N	N	N	N	Y	Y	Y	Y	SP	SP
b.	Store and businesses as in 4a, but when they are greater than 5,000 square feet of gross floor area per establishment	N	N	N	N	N	SP	Y	Y	Y	SP	SP
c.	Place for the sale and consumption of food and beverages exceeding 5,000 square feet of gross floor area, or providing dancing and entertainment.	N	N	N	N	N	SP	Y	Y	Y	SP (IA, IP) Y (IPHR)	SP
d.	Bar or other establishment where alcoholic beverages are sold and consumed and where dancing or entertainment is provided; dance hall or similar place of entertainment.	N	N	N	N	N	SP	Y	Y	Y	SP	SP

Principal Uses		S-1	TF	UM-2	M-3	M-4	B-1	B-2A	B-3	B-4	IA	IB
		S-2		SM-2							IP	IPHR
6. AUTOMOTIVE AND RELATED USES												
a.	Sales place for new or used cars conducted entirely with a building, or rental agency for autos, trailers, or motorcycles conducted entirely within a building provided no major repairs are made.	N	N	N	N	N	SP	Y	Y	Y	Y	Y
b.	Sales and storage place for new or used cars conducted partly or wholly on an open lot, or rental agency for automobiles, trailers, motorcycles conducted partly or wholly outdoors.	N	N	N	N	N	SP	SP	SP	N/SP	SP	Y
c.	Automotive service station (filling station) where no major repairs are made provided that all lubrication and minor repairs are carried out inside the building.	N	N	N	N	N	SP	SP	SP	SP	Y	Y
d.	Automotive repair garage provided all servicing and repairs are carried out inside the building.	N	N	N	N	N	SP	SP	SP	SP	Y	Y
e.	Car washing establishment using mechanical equipment for purposes of cleaning automobile and other vehicles.	N	N	N	N	N	SP	SP	SP	SP	Y	Y
f.	Parking lots and garages other than those provided as an accessory use to the principal use being conducted on the lot, in conformance with this zoning code.	N	N	N	N	N	SP	SP	SP	SP	SP	SP
g.	A private garage or parking area, whether as a principal use of a lot or as a secondary use solely for the storage cars of residents of other lots located within 400 feet and within the same district, when found by the Board of Appeals to be necessary in residence districts to provide off-street parking for such vehicles.	N	N	SP	SP	SP	N	N	SP	SP	N	N
h.	Parking area, abutting or across the street from a non-residence district, for the parking of passenger cars of employees, customers or guests of establishments in the adjoining non-residence district, provided no charge is made for parking, and no sales or service operations are performed.	N	N	N	N	N	N	SP	SP	SP	SP	Y
i.	Parking or allowing to stand any motor vehicle and/or motor vehicle attachment (excluding recreational vehicles) having a gross vehicle weight of twelve thousand (12,000) pounds or more, or exceeding 24 feet in length, or having three (3) or more axles, for more than one-half (1/2) hour, on any day, at any time, in any residential or non-residential district where parking or standing a vehicle is not otherwise regulated by traffic regulation; provided that this regulation shall not apply during actual service delivery, or in case of an emergency. Motor vehicles, regardless of size, owned or operated by the City of Lowell, the Commonwealth of Massachusetts, or the United States of America are hereby exempt for these regulations. (Ord 0311/37, 4-23-96)	N	N	N	N	N	N	SP	SP	SP	SP	Y

Principal Uses											
S-1 S-2	TF	UM-2 SM-2	M-3	M-4	B-1	B-2 B-2A	B-3	B-4	IA IP	IB	IPHR
7. UTILITIES AND PUBLIC SERVICE USES											
a.	Public utility or service facilities including but not limited to transformer stations, substations, pumping stations, telephone exchanges, provided that in residence districts such public service facility is considered essential to service such a residential area and that no public business office, storage yard or storage building is operated in connection with the facility.	SP	SP	SP	SP	Y	Y	SP	Y	Y	
8. GENERAL OFFICE AND LABORATORY USE											
a.	General offices for commercial or professional use, Telephone Answering Service.	N	N	N	N	SP	Y	Y	Y	Y	
b.	Radio or television studio.	N	N	N	N	SP	Y	SP	Y	Y	
c.	Radio or television transmission stations including towers.	N	N	N	N	N	Y	N	Y	Y	
d.	Laboratories or research facilities, provided any manufacturing is incidental to the operation of the facility, does not exceed fifty percent of the gross floor area of the building and is not injurious to the surrounding area by nature of dust, noise, smoke and odors.	N	N	N	N	N	Y	N	Y	Y	
9. INDUSTRIAL USES											
a.	Light industry, wholesale business and storage:	N	N	N	N	N	SP	N	Y	Y	
	1. Distribution center, delivery center, warehouse	N	N	N	N	N	Y	N	Y	Y	
	2. Steam laundry or dry cleaning plant.	N	N	N	N	N	SP	N	Y	Y	
	3. Food and beverage manufacturing, bottling or processing and commissary.	N	N	N	N	N	N	N	N	Y	
	4. Storage warehouse, cold storage plant, storage buildings but not including open storage or bailing of junk, scrap metal, rags, waste paper or used rubber.	N	N	N	N	N	N	N	N	Y	
	5. Wholesale business and storage in a roofed structure, but not including wholesale storage or flammable liquids or gases.	N	N	N	N	N	N	N	N	Y	
	6. Manufacturing, assembly, reconditioning and processing plant for the following type industries: food and kindred products, apparel, textiles and related products, electronic and electrical products, furniture and fixtures, printing and publishing, paper and allied products, plastic and allied products, primary and fabricated metal products, machinery, transportation and related equipment products, instruments and related products, including the storage of raw materials and containers used in or incidental to any of the foregoing provided that any open lot storage shall not exceed 12 feet in height and that the area so used shall be enclosed by a tight wall or fence of at least the same height of the material so stored.	N	N	N	N	N	SP	N	Y	Y	

[illegible]

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